

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, NOVEMBER 18, 2004  
8:15 A.M.**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Bob Workman  
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Tom Fox, Deputy County Attorney,  
Kristy Mundt, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:18 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF TUESDAY,  
NOVEMBER 9, 2004**

**MOTION:** Workman moved and Hudkins seconded approval of the Staff Meeting minutes of November 9, 2004. Workman, Hudkins and Stevens voted aye. Heier abstained from voting. Schorr was absent from voting. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Evaluation of Land Use Procedures
- B. Bids for Preliminary Engineering on the Jamaica North Trail Project
- C. Reserve Fund Investments for the Lancaster Leasing Corporation
- D. Friends of Wilderness Park Newsletter
- E. Recognition of David Johnson, Former Deputy County Attorney

**MOTION:** Heier moved and Hudkins seconded approval of the additions to the agenda. Hudkins, Heier, Workman and Stevens voted aye. Schorr was absent from voting. Motion carried.

## ADDITIONS TO THE AGENDA

- E. Recognition of David Johnson, Former Deputy County Attorney

The Board welcomed David Johnson, former Deputy County Attorney.

Schorr arrived at 8:21 a.m.

### 3 COMMISSIONER MEETING REPORTS

- A. Board of Health - Hudkins

Hudkins said discussion focused on implementation of the smoking ban.

- B. Visitors Promotion Advisory Committee (VPAC) - Schorr

No meeting.

- C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Workman, Stevens

Workman said the state formula for gas tax was discussed.

The Board received a copy of testimony by Allan Abbott, City Public Works/Utilities Director, at the legislative hearing on LR352 (Study of the Highway Trust Fund) and a chart detailing city/county contributions to vehicle registration, motor vehicle sales tax and state gas tax for 2003 (Exhibit A).

**MOTION:** Hudkins moved and Workman seconded to ask Commissioner Workman, Nebraska Association of County Officials (NACO) representative, to bring the issue before the NACO Board. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

- 4 **A) PROGRAM MANAGER FOR ASSERTIVE COMMUNITY TREATMENT (ACT) TEAM; B) RECRUITMENT OF NEW PSYCHIATRIST** - Dean Settle, Community Mental Health Center Director

#### **A) Program Manager for Assertive Community Treatment (ACT) Team**

Dean Settle, Community Mental Health Center Director, requested authorization to hire a program manager who will serve as team leader for the Assertive Community Treatment (ACT) Team. Funding will be through LB 1083 (Adopt the Nebraska Behavioral Health Services Act) with no county match.

Tom Fox, Deputy County Attorney, noted liability concerns regarding the target population and asked whether Sue Eckley, Workers' Compensation & Risk Management Manager, had been consulted.

Settle agreed to do so.

**MOTION:** Schorr moved and Heier seconded to authorize Dean Settle, Community Mental Health Center Director, to move forward with the hiring process.

Fox said the Board should have all the liability information before proceeding with the actual hire.

Settle said he and Eckley will report back on the scope of liability that the County may incur.

**ROLL CALL:** Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

## **B) Recruitment of Psychiatrist**

Settle requested authorization to simultaneously advertise for an adult, board certified psychiatrist with community mental health center or ACT Team experience. He said he would like to advertise locally and through a professional physician recruiting firm and said recruitment costs are fully funded by the grant. Settle said he is trying to find partners within the community, as a full-time commitment is not required. Private practice is also an option.

Heier said there may be a need for a psychiatrist at the Youth Services Center to assist with Office of Juvenile Services (OJS) evaluations.

**MOTION:** Schorr moved and Workman seconded to authorize recruitment of a new psychiatrist with the assistance of a professional physician recruiting firm.

**FRIENDLY AMENDMENT:** Heier offered a friendly amendment to stipulate that the new psychiatrist will not cost the County any money.

Hudkins seconded the friendly amendment.

**ROLL CALL ON THE FRIENDLY AMENDMENT:** Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

**ROLL CALL ON THE ORIGINAL MOTION:** Schorr, Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

### **Community Mental Health Center Staffing**

Settle requested authorization to convert an unfilled Clerk Typist II position to a Licensed Practical Nurse (LPN) position in order to better manage the medical and psychiatric prescription needs of persons with mental illness on General Assistance (GA). He said salary savings will cover the additional cost, estimated to be \$6,000.

**MOTION:** Hudkins moved and Schorr seconded approval of the request. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

### **ADDITIONS TO THE AGENDA**

F. Recognition of Lincoln Symphony Orchestra Maestro Edward Polochick

**MOTION:** Schorr moved and Hudkins seconded approval of the addition to the agenda. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

The Board recognized Lincoln Symphony Maestro Edward Polochick.

Polochick stressed the importance of outreach and community collaborations and partnerships.

Schorr suggested having a small symphony group go to the Juvenile Detention Center. It was also suggested that the Lincoln Convention & Visitors Bureau assist with partnership efforts.

Polochick invited Board members to attend the November 20, 2004 concert and presented information regarding the Lincoln Symphony 2004-2005 Season (Exhibit B).

- 5 NATIONAL DRUG ASSISTANCE PROGRAM (CONTRACT WITH LANCASTER COUNTY MEDICAL SOCIETY (LCMS) AND COMMUNITY MENTAL HEALTH CENTER STAFFING) - Joan Anderson, Lancaster County Medical Society (LCMS); Bruce Dart, Lincoln-Lancaster County Health Department Director; Gary Chalupa, Veterans Service Officer/General Assistance Director**

## National Drug Assistance Program

Joan Anderson, Lancaster County Medical Society (LCMS), gave an overview of the Medication Assistance Program (Exhibit C). She said 35 General Assistance (GA) clients have been enrolled to date and estimated savings at \$12,105.93 for a one month period, based on the Medicaid reimbursement rate. Anderson requested a seven month extension of LCMS's contract with the Lincoln-Lancaster County Health Department for enrollment services (estimated cost is \$2,500/month). LCMS will continue to provide in-kind services for the seven month period and will train county staff in enrollment procedures so enrollment can eventually be done internally.

**MOTION:** Schorr moved and Hudkins seconded to approve funding extension of the contract between the Lancaster County Medical Society (LCMS) and the Lincoln-Lancaster County Health Department through the end of the fiscal year. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

## Community Mental Health Center Staffing

Item moved forward on the agenda.

### **6 GENERAL ASSISTANCE STAFFING** - Gary Chalupa, Veterans Service Officer/General Assistance Director

Gary Chalupa, Veterans Service Officer/General Assistance Director, requested authorization to convert two temporary caseworker positions and one administrative support position to permanent status, with benefits. Total cost is \$70,000.

**MOTION:** Heier moved and Hudkins seconded approval of the request. Heier, Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

## **ADDITIONS TO THE AGENDA**

### D. Friends of Wilderness Park Newsletter

Hudkins expressed concern regarding an editorial in the Friends of Wilderness Park newsletter which stated the County Board is opposed to expansion of Wilderness Park, particularly to the south. He said he plans to respond to the editorial.

**7 PENDING LITIGATION** - Mike Thew, Chief Deputy County Attorney

**MOTION:** Hudkins moved and Heier seconded to enter Executive Session at 9:58 a.m. for discussion of pending litigation. Heier, Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

**MOTION:** Hudkins moved and Schorr seconded to exit Executive Session at 10:10 a.m. Schorr, Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

**8 NATIONAL ASSOCIATION OF COUNTY OFFICIALS (NACo) MEMBERSHIP** - Timothy Loewenstein, Buffalo County Commissioner and National Association of County Officials (NACo) representative

Timothy Loewenstein, Buffalo County Commissioner and National Association of County Officials (NACo) representative, gave a PowerPoint presentation on NACo activities and benefits (Exhibit D). He urged Lancaster County to join NACo (2005 membership fee is \$4,442) and said membership will enable Lancaster County to participate in the Prescription Drug Discount Card Program.

**MOTION:** Workman moved and Hudkins seconded to join the National Association of County Officials (NACo) in 2005 and to consult Dave Kroeker, Budget and Fiscal Officer, regarding funding.

Stevens said action is premature.

Schorr noted that the Board will looking at the budget situation and reviewing funding requests at the Midyear Budget Review in January, 2005.

**ROLL CALL:** Hudkins, Workman and Heier voted aye. Schorr and Stevens voted no. Motion carried.

**9 PROCEDURE FOR SALE OF SURPLUS PROPERTY** - Kristy Mundt, Deputy County Attorney

Kristy Mundt, Deputy County Attorney, presented an example of an advertisement for the sale of surplus county property that was placed in the Daily Reporter Newspaper (Exhibit E). She noted that the County plans to sell surplus property at 3830 Adams Street and asked whether the Board would like further advertisement or to list a contact person in the advertisement. **NOTE:** The County is statutorily required to advertise once in a legal newspaper, ten days prior to the sale.

Board consensus was to advertise in the Lincoln Journal Star Newspaper in addition to the Daily Reporter and to list Don Killeen, County Property Manager, as the contact person.

**10 SALARIES FOR DIRECTORS; BAILIFFS, PSYCHIATRISTS AND CHILD SUPPORT REFEREE - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager**

Don Taute, Personnel Director, presented the Personnel Committee's salary recommendations for unclassified, unrepresented employees (Exhibits F & G). Market adjustments are recommended for the following: Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; Michelle Schindler, Youth Services Center Deputy Director; Russ Shultz, Weed Control Authority Superintendent; Gary Chalupa, Veterans Service Officer/General Assistance Director; Rick Ringlein, Assistant Veterans Service Officer/Assistant General Assistance Director; and Susan Gillan, Child Support Referee. Adjustments for additional duties are recommended for the following: Kerry Eagan, Chief Administrative Officer; Doug Ahlberg, Emergency Management Director; Gary Chalupa, Veterans Service Officer/General Assistance Director; Rick Ringlein, Assistant Veterans Service Officer/Assistant General Assistance Director; and Kim Etherton, Community Corrections Director. He said work will continue to update position descriptions and develop an evaluation tool, as another element of compensation.

John Cripe, Classification and Pay Manager, noted that one of the Bailiff II's is paid \$3,000 more than the published maximum and said that individual is not reflected in the across-the-board increase.

Eagan said he believes the additional compensation is reflective of additional administrative duties.

In response to a question from Workman, Cripe said two of the directors are above the market: Don Killeen, County Property Manager; and Mike Thurber, Corrections Director. The counties used in the salary study are Douglas County, Nebraska (includes Omaha), Linn County, Iowa (includes Cedar Rapids), Polk County, Iowa (includes Des Moines), Minnehaha County, South Dakota (includes Sioux Falls) Sedgwick County, Kansas (includes Wichita), and Shawnee County, Kansas (includes Topeka).

District Court Judge Paul D. Merritt, Jr. appeared and noted that the array that was submitted to Personnel for the Child Support Referee was based on 2003 figures. An array was not submitted for the bailiffs, due to time constraints.

The Chair exited the meeting at 11:45 a.m. and the Vice Chair assumed direction of the meeting.

## 11 ACTION ITEMS

- A. Microcomputer Request C#2004-441, \$1,794.59 from the Community Corrections Budget for a Pentium IV, 17" Monitor and Software

**MOTION:** Heier moved to fund the request out of the County Attorney's funds.

The motion died for the lack of a second.

The Chair returned to the meeting at 11:48 a.m. and resumed direction of the meeting.

**MOTION:** Schorr moved and Workman seconded to approve the request, subject to verification that the computer equipment is for a new staff member. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

## 12 ADMINISTRATIVE OFFICER REPORT

- A. Motocross Task Force

Eagan will notify Darl Naumann, Administrative Assistant to the Mayor/Economic Development, that meetings must be public and minutes must be taken, as the task force is advisory to the County Board.

It was noted that the proper name is Motorsport Task Force.

- B. Claims for Review from Families First & Foremost (F<sup>3</sup>):
  1. PV782-6651, dated October 27, 2004, payable to Visinet, Inc., in the amount of \$203.29. Payment is for services received during January, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).
  2. PV782-6627, dated October 26, 2004, payable to Kevin and Sarah Steele in the amount of \$524.00. Payment is for foster care and respite services provided in May and June, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).
  3. PV782-6621, dated October 26, 2004, payable to the Child Saving Institute in the amount of \$3,547.50. Payment is for emergency shelter services provided in May and June, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).
  4. PV782-6615, dated October 26, 2004, payable to Bryan LGH Medical Center in the amount of \$1,665.24. Payment is for services provided in March and April, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).

5. PV782-6683, dated November 2, 2004, payable to OMNI Behavioral Health in the amount of \$975.00. Payment is for services provided in April, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).

Eagan distributed copies of a written explanation from OMNI Behavioral Health (Exhibit H).

6. PV782-6727, dated November 9, 2004, payable to Elvira Kobza in the amount of \$332.00. Payment is for foster care and respite services provided in July, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).
7. PV782-6636, dated October 26, 2004, payable to Mohammed Siddiq in the amount of \$20.00. Payment is for interpreting services proved on June 25, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).

Items held for additional information.

C. Claim for Review from Records and Information Management:

1. PV648-05058, dated November 2, 2004, payable to Manpower in the amount of \$417.00. Payment is for work ending June, 20, 2004. Claim is beyond the 90 day time period (see State Statute §23-135).

Eagan said Brian Pillard, Records & Information Manager, has indicated a billing error (see memorandum in agenda packet).

D. Claim for Review from Administrative Services:

1. PV612-1396, dated November 6, 2004, payable to Industrial Services, Inc. in the amount of \$2,065.00. Payment is for dead animal removal and includes dates between May 10, 2004 and July 12, 2004 which total \$296.00. These dates are claims that are beyond the 90 day time period (see State Statute §23-135).

Eagan said the Sheriff's Office is unable to verify service on the dates that are over 90 days.

E. Notice to Employees from Nationwide Retirement Solutions (NRS)  
Regarding Investment Changes

There was no objection to the notice.

Schorr exited the meeting at 12:02 p.m.

#### F. Ex Parte Communications with Planning Commission

Heier suggested the following language:

*Any communication between a Lincoln-Lancaster County Planning Commission Member and a City or County agency, department or other member of the Planning Commission concerning an application shall be noted on public record by the department, agency and Planning Commission Member at the next meeting of the Planning Commission. Additionally, this information must be shared with the applicant and attached to the application being discussed.*

The following revisions were requested: 1) Include a note on the public record of any communication with other individuals concerning an application; and 2) Individual roll call should be taken.

#### G. Recommendations for Award of Construction Bids for County Vehicle Storage Facility

Eagan clarified that one of the recommendations relates to re-roof of the Lancaster County Extension Building. **NOTE:** See agenda packet for bid recommendations.

The Board requested a projection of the total cost of the vehicle storage facility.

The Board scheduled the items on the November 23, 2004 Board of Commissioners Meeting agenda.

#### H. Quarterly Meetings with Planning Department

Board consensus was to schedule the meetings on Tuesday mornings.

Hudkins exited the meeting at 12:07 p.m.

### **ADDITIONS TO THE AGENDA**

#### A. Evaluation of Land Use Procedures

Item held.

#### B. Bids for Preliminary Engineering on the Jamaica North Trail Project

The Board scheduled the item on the November 23, 2004 Board of Commissioners Meeting agenda.

C. Reserve Fund Investments for the Lancaster Leasing Corporation

The Board reviewed a recommendation from Dave Kroeker, Budget and Fiscal Officer, to invest the funds with US Agency Discount Notes (Exhibit J).

There was no objection.

**13 ADJOURNMENT**

**MOTION:** Hudkins moved and Workman seconded to adjourn the meeting at 12:20 p.m. Heier, Workman and Stevens voted aye. Schorr and Hudkins were absent from voting. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk